

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Regular Meeting/Work Session – April 27, 2009

Pursuant to due call and notice, a regular meeting/work session of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, April 27, 2009, at 5:30 p.m. in the Conference Room of City Hall, Mayor Lehmann presiding.

Upon roll call, the following Councilmembers were declared present: Lehmann, Johnson, Negard, Downs, Meuers, Waldhausen, Hellquist

Staff Present: City Manager John Chattin, City Attorney Alan Felix, City Engineer Craig Gray, Finance Director Ron Eischens, City Clerk Kay Murphy

Others Present: Brian Grund – Freeberg & Grund

Motion by Johnson, seconded by Hellquist, to approve the agenda as presented. Motion carried unanimously.

Tyler Estates – Flooding

Mayor Lehmann stated that the Council has received several pictures showing the flooding that was experienced by residents in Tyler Estates.

City Engineer Gray reviewed a proposal from Barr Engineering for professional services for engineering and stormwater work that could be undertaken to evaluate the Tyler Hills/Estates area. Gray stated that the proposal is broken down into two phases. Phase I would cost \$5,500 and would provide a report that would meet the following objectives:

1. Evaluate flooding that occurred as a result of spring 2009 snowmelt event.
2. Clarify which homes in Tyler Estates are susceptible to flooding and how frequently those homes are at risk of flooding.
3. Identify several options to further mitigate the flooding in Tyler Estates and provide preliminary concept-level cost estimates for the identified options.
4. Provide the city with guidelines to select a course of action.

Gray stated that Phase II would cost an additional \$27,000 which would provide a hydrologic model to identify expected runoff from rainfall and snowmelt events of various frequencies; improve the accuracy of the stormwater model by obtaining accurate topographical information for the watershed; provide mapping showing expected flood areas for 10, 50, and 100 year frequency snowmelt event; and update estimates and design solutions using new topographical information and a new stormwater model.

Gray stated that unless both Phase I and II are done, the City will find itself in the same position. He recommended that at a minimum the Council authorize Phase I (\$5,500) and a flyover of the area (\$3,500).

Hellquist commented that the City knows where the water is coming from and asked why this is necessary.

Lehmann stated that it appeared that Phase I was done in 2005 and asked why we are considering it again.

Gray stated that this study is different than what was done, however, some of the information will be used from the 2005 report.

Discussion continued regarding the funding for Barr Engineering to do the phase. Gray recommended that the City use stormwater funds to pay for the services of Barr Engineering.

Finance Director Eischens stated that last fall PFM provided an update on the stormwater utility fund. The study indicated that beginning in 2009 the stormwater fund will begin experiencing significant deficiencies and will not improve until 2015. He stressed that if the Council moves forward with the study and proceed with solutions, the Council will not be able to do some other project.

Johnson asked what impact the proposed annexations will have on generating stormwater funds. Staff responded that the funds that could be collected are not significant.

Discussion continued regarding recent meetings with FEMA representatives. Chattin stated that there appears to be a minimal potential for reimbursement for homeowners. There is the possibility for state buyout of homes but the City would have to make application for the homeowners.

Chattin asked the Council if they are ready to commit \$750,000 to \$1 million to correct the flooding problem. He stated that studies can be done and several solutions may be suggested. However, the question is if the cost is \$1 million and no FEMA funding is available, what is the Council willing to commit?

Council discussed the following:

- Stormwater pipe to Lake Bemidji
- Other flooding in area, i.e., Chippewa Drive
- Build a larger retention pond
- Buyout of home(s)
- Possible recourse with the developer

Chattin stated that he has arranged a meeting with representatives from Beltrami County, Bemidji Township, the Developer and DNR to see if they are willing to partner with the City to find a solution.

City Attorney Felix stated that it is not a question of finding fault. The City did everything possible at the time to address the flooding issue in 2005. He stated that a great deal of effort was made to deal with the problem at the developer's and City's expense. Felix stated that the City does not control 90% of the land that contributes to the water problem.

Brian Grund, Freeberg & Grund, stated that there are not a lot of solutions but whatever the solution is will cost at least \$750,000. He stated that a stormwater model is needed.

Motion by Downs, seconded by Meuers, authorizing a contract with Barr Engineering to complete Phase 1 (Items 1-4) and proceed with a flyover in the amount of \$9,000. Motion carried unanimously.

Pete Hartman, Tyler Estates, stated that the property owners had a brief meeting with FEMA.

Cindy Janisch, PO Box 115, expressed concerns about the lack of ability for property owners in Tyler Estates to get flood insurance. She would like to see a concrete timeframe so that the property owners can return to their homes.

Chattin responded that the Greater Bemidji Joint Planning Board has been asked to make application to the National Flood Program and should be available by fall.

RESOLUTION NO. 5554: Approving the Grant Application to Department of Employment and Economic Development, Committing Local Match and Authorizing Contract Signature (BREC) was offered by Councilmember Hellquist, who moved its adoption, and upon due second by Councilmember Waldhausen was passed by unanimous vote.

ADJOURN

There being no further business, motion by Meuers, seconded by Downs, to adjourn the meeting. Motion carried. Meeting adjourned at 6:15 p.m.

Respectfully submitted,


Kay M. Murphy
City Clerk